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Report to the Colorado General Assembly:

SIMPLIFICATION OF STATE GOVERNMENT ORGANIZATION

PART II



COLORADO LEGISLATIVE COUNCIL

RESEARCH PUBLICATION NO. 63

DECEMBER 1962

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OF THE
COLORADO GENERAL ASSEMBLY

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L. T. Skiffington
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Lyle C. Kyle, Director

* * * * *

The Legislative Council, which is composed of five Senators, six Representatives, and the presiding officers of the two houses, serves as a continuing research agency for the legislature through the maintenance of a trained staff. Between sessions, research activities are concentrated on the study of relatively broad problems formally proposed by legislators, and the publication and distribution of factual reports to aid in their solution.

During the sessions, the emphasis is on supplying legislators, on individual request, with personal memoranda, providing them with information needed to handle their own legislative problems. Reports and memoranda both give pertinent data in the form of facts, figures, arguments, and alternatives.

SIMPLIFICATION OF
STATE GOVERNMENT ORGANIZATION

Part II

Legislative Council
Report To The
Colorado General Assembly

COLORADO GENERAL ASSEMBLY



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LEGISLATIVE COUNCIL

ROOM 341, STATE CAPITOL
DENVER 2, COLORADO
ACOMA 2-9911 - EXTENSION 2285
December 3, 1962

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REP. ELMER A. JOHNSON
REP. JOHN L. KANE
REP. C. P. LAMB
REP. GUY POE

To Members of the Forty-fourth Colorado General Assembly:

In accordance with the provisions of Senate Joint Resolution No. 2, 1962 session, the Legislative Council's Committee on Administrative Organization of State Government was directed to continue its work during 1962.

The accompanying report was considered by the Legislative Council at its meeting on November 29 and was accepted for transmission to the members of the Forty-fourth General Assembly.

Respectfully submitted,

James E. Donnelly
Chairman

COLORADO GENERAL ASSEMBLY



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RESEARCH ASSISTANT

LEGISLATIVE COUNCIL

ROOM 341, STATE CAPITOL
DENVER 2, COLORADO
ACOMA 2-9911 - EXTENSION 2285

November 13, 1962

MEMBERS
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REP. GUY POE

Senator James E. Donnelly, Chairman
Colorado Legislative Council
Room 341, State Capitol
Denver 2, Colorado

Dear Mr. Chairman:

Your Committee appointed to carry out the study requested by Senate Joint Resolution No. 2, 1962 regular session, relating to the administrative organization of state government, has completed its study and submits herewith its report and recommendations.

The Committee has made several recommendations designed to simplify the administrative organization of state government and to encourage economy and efficiency in various state activities. The committee requests that the Council approve these recommendations for consideration by the General Assembly.

In addition, a special subcommittee in regard to the State Department of Veterans' Affairs was appointed whose membership consisted of Senators A. Woody Hewett and Richard F. Hobbs and Representative Elmer A. Johnson. Because the Committee has not had the opportunity to review the results of this subcommittee's activities, the report of this group is included as an appendix to and not as a part of the report of the whole Committee.

Respectfully submitted,

Senator Floyd Oliver, Chairman
Committee on Administrative
Organization of State Government

FOREWORD

In accordance with the directives of Senate Joint Resolution No. 2, 1962 regular session, the Legislative Council continued its committee established to study the administrative organization of state government in Colorado. The membership of this committee remained the same as in 1961, as follows: Senator Floyd Oliver, chairman; Representative Allen Dines, vice chairman; Senators A. Woody Hewett, Richard F. Hobbs, L. T. Skiffington, and Paul E. Wenke; and Representatives Palmer L. Burch, Lela S. Gilbert, Elmer A. Johnson, Andres Lucas, John W. Nichols, and John D. Vanderhoof.

The committee held its first meeting in April of this year at which time the committee reviewed the results of its first year of work and outlined areas for study during 1962. Subsequently, meetings and hearings were held in June, July, September, and November to review staff reports and to confer with representatives of various state agencies. The committee wishes to acknowledge its appreciation of the cooperation and assistance extended it by the various state agencies contacted during 1962.

Miss Clair T. Sippel, secretary of the Legislative Reference Office, worked closely with the committee in carrying out this study as did Robert Bronstein, Management Analysis Director and the members of his staff. Phillip E. Jones, senior research analyst on the staff of the Legislative Council, had primary responsibility for preparing the research material, assisted by David Morrissey, research assistant.

December 3, 1962

Lyle C. Kyle
Director

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REPORT OF COMMITTEE ON ADMINISTRATIVE ORGANIZATION OF STATE GOVERNMENT

The Legislative Council's Committee on Administrative Organization of State Government was directed by Senate Joint Resolution No. 2, 1962 Session, to continue its study of the administrative organization of state government and to report its findings and recommendations to the First Regular Session of the Forty-fourth General Assembly. The committee conducted its study in 1962 in much the same manner as in the previous year -- by holding hearings with state officials and reviewing statutory provisions and staff reports of various agencies -- and also by surveying the results of committee activities and recommendations made during 1961.

The second year of activity of the Committee on Administrative Organization of State Government was devoted for the most part to areas tentatively studied during 1961 or where 1961 committee recommendations warranted further review. For instance, as a result of the committee's activity the Merit System Council, State Tuberculosis Programs, and the Governor's Committee on Employment of the Handicapped were reorganized in 1962 by administrative contract or executive order. Other programs reviewed in 1961 about which the committee recommends further action include the following:

- 1) Publication of Supreme Court Reports;
- 2) Bureau of Child and Animal Protection;
- 3) Department of Taxation and Revenue;
- 4) Irrigation District Law of 1935;
- 5) Colorado Council for UNESCO;
- 6) Department of Veterans Affairs;
- 7) Commission on Uniform State Laws;
- 8) Interstate Cooperation Commission; and
- 9) Statutory Executive Department.

New areas reviewed by the committee in 1962 were the Colorado Civil Defense Agency, Legislative Reference Office, Statutory Revision Committee, a proposed Department of Commerce and Development, and a merit award program for state employees. The committee also considered the question of annual and biennial reports prepared by state agencies.

COMMITTEE FINDINGS AND RECOMMENDATIONS

Reorganization by Administrative Action

As a result of 1961 recommendations of the Committee on Administrative Organization of State Government,¹ three state agencies or activities were reorganized in 1962 by administrative action. Both the Merit System Council and the state tuberculosis programs in the welfare department and in the health department were reorganized by inter-agency agreement, and the Governor, by executive order, transferred the activities and appropriation of the Governor's Committee on Employment of the Handicapped to the Department of Rehabilitation.

Governor's Committee on Employment of the Handicapped

Prior to the 1962 session, the Committee on Administrative Organization recommended that monies appropriated for the support of the Governor's Committee on Employment of the Handicapped be funded directly to the Department of Rehabilitation as part of its regular appropriation. Subsequently, in April of 1962, the Governor by executive order transferred the funding of the committee to the Department of Rehabilitation; directed that the executive secretary's position also be transferred to the Department of Rehabilitation; and that the secretary be assigned duties which do not conflict with the time needed for serving as secretary of the committee.

For fiscal year 1963-1964, tentative budget recommendations provide that monies for the support of the Committee on Employment of the Handicapped will be part of the regular line appropriation of the Department of Rehabilitation, and that the secretary's salary, which is now paid solely from state funds, is to be supported by federal monies (60 per cent) and by state funds (40 per cent).

Tuberculosis Program

The committee recommended in 1961 that the activities of the Tuberculosis Assistance Program of the State Department of Welfare be transferred to the State Department of Public Health. The committee made this recommendation in view of the fact that there was a vacancy in the position of physician-supervisor at the State Department of Public Health and it seemed an appropriate time for integrating the programs.

The tuberculosis programs of the health and welfare departments were unified into a single program of Tuberculosis Assistance and Control on July 1, 1962. This unified program was established in accordance with the recommendation of Dr. Roy L. Cleere, director of the State Department of Public Health, as outlined to the committee at its November 3, 1961 meeting.

1. Colorado Legislative Council, Research Publication No. 55, Simplification of State Government Organization.

The reorganization of the tuberculosis programs involved the following:

- 1) the personnel of the Tuberculosis Assistance Program, Department of Public Welfare, were moved to offices contiguous to the Tuberculosis Control Section, Department of Public Health;
- 2) salaries of personnel are being paid from funds of their respective departments;
- 3) the programs were merged operationally into a program of Tuberculosis Assistance and Control; and
- 4) Dr. Frank Hagman, Department of Public Welfare, was appointed operational director of the program.

The Tuberculosis Assistance and Control Program is still in its initial stages of operation and more time is needed to assess the merits and problems of the integrated program. Therefore the committee recommends that no statutory changes be made prior to the 1964 session. At that time, questions concerning the relationship between the county welfare support programs and the Department of Public Health may be clarified, as well as the merits of statutory integration.

Merit System Council

In 1939 the federal government adopted a policy of requiring merit systems for local units of government participating in grants-in-aid programs. The Merit System Council was created within the State Department of Public Welfare to serve the personnel needs of county welfare departments participating in the federal programs. In viewing the activities of the Merit System Council, the committee considered the possibility of transferring the duties of the Merit System Council to the Civil Service Commission by statutory amendment. However, there appeared to be some constitutional problems involved, namely, Article XII, Section 13, of the Colorado Constitution, which spells out in detail the duties of the Civil Service Commission. For this reason, the committee delayed final recommendations in its 1961 report, but requested the Civil Service Commission, the Department of Public Welfare, and the Merit System Council to negotiate an agreement whereby the Civil Service Commission would provide personnel service to the Council.

Contract Negotiated. Effective October 1, 1962, the Merit System Council and the Civil Service Commission negotiated an agreement to the effect that the Civil Service Commission is directed to provide personnel examination and recruitment services to the Merit System Council. As part of this agreement, monies allocated to the Merit System Council for staff services and other operational expenses for the remainder of fiscal year 1963 were transferred to the Civil Service Commission, and the staff of the Merit System Council has also been transferred to the Civil Service Commission.

Administration of Contract. The methods and procedures of the Merit System Council were first adopted in 1948 and have not been revised to any extent since that time. During the remaining nine months of fiscal year 1962-63, the Merit System Council staff of four employees will assist the Civil Service Commission in up-dating and adapting the council's methods to the machine coding program of the Civil Service Commission. During this transitional period there will not be any significant savings to the general fund. However, for fiscal year 1963-64, the Civil Service Commission estimates a reduction in the cost of the Merit System Council services on the following program basis: one technician and one and one-third clerical personnel of the council will be absorbed into vacancies in other positions in the Civil Service Commission, while the remaining council personnel will be utilized for administration of the Merit System Council contract. It is therefore expected that recruiting and examination services for the council will be up-dated and at less cost to the taxpayer.

Revisions or Continuation of Recommendations Made in 1961

Public Printing, Including Supreme Court Reports

In 1961, the committee recommended that the contracting function of the Colorado Commission for Printing Supreme Court Reports be transferred to the state purchasing agent. This action would relieve the Chief Justice and other members of the commission of the details of negotiating a printing contract and would place the contracting function with the state agency specializing in this activity.

Accordingly, House Bill No. 44, 1962 session, was introduced. In substance, the bill provided for two alternatives: 1) printing of Supreme Court reports and other matters to be contracted to private industry by the state purchasing agent; or 2) where feasible or most economical the state would perform its own printing. The bill gained the approval of the House, but was not reported out of committee in the Senate. It has been reported that opposition to the bill stemmed from the provision allowing the state to perform its own printing.

Therefore, the committee recommends that the General Assembly consider the adoption of a bill similar to H.B. 44, but without the provision that the state may exercise an option to perform its own printing.

Bureau of Child and Animal Protection

The committee recommended consideration by the 1962 General Assembly of retaining the Bureau of Child and Animal Protection as a state agency, but that all provisions in the law referring to child protection be deleted. In addition the committee recommended repeal of Section 21-1-2, C.R.S. 1953, pertaining to the ex officio members of the board of directors of the Humane Society; 21-1-5, pertaining to the publication of reports; and 21-1-6, pertaining to

the distribution of reports. However, the committee's recommendations were not included in the Governor's message to the General Assembly. The committee therefore again makes these recommendations for consideration by the General Assembly.

Department of Revenue and Taxation

The committee recommended repeal of the Department of Revenue and Taxation in its 1961 report because this is merely a "paper" agency. As this matter was not included in the Governor's message to the 1962 General Assembly, and subsequently no action could be taken at that time, the committee is therefore again recommending repeal of Sections 3-1-1(3) and 3-7-1, Colorado Revised Statutes 1953.

In essence, the State Department of Revenue and Taxation is composed of the separate Departments of Revenue and of Taxation. (The latter is simply another name for the State Tax Commission.) The over-all department, however, has never been activated and no head of it has ever been appointed. The committee believes that the statutory sections referring to this non-existent or "paper" department should be repealed in order to clarify the state's organizational structure. It may also be desirable to repeal Section 3-7-2, C.R.S. 1953, which designates the Tax Commission as the Department of Taxation.

Board of Conservation and Public Irrigation District Law of 1935

Upon the recommendation of the committee, the 1962 General Assembly adopted Senate Bill No. 10, repealing Sections 149-4-1 through 149-4-24, C.R.S. 1953; however, the Governor vetoed the bill on the ground that one irrigation district existed which was organized under the 1935 law.

After the session the committee requested the Attorney General to render an opinion on whether the 1935 Irrigation District Law could be repealed without affecting the property rights of any district organized under the law. According to the Attorney General, the 1935 law could be repealed without divesting any district, organized under the law, of its water rights. The Attorney General's opinion stated in part: "Vested property rights acquired by districts organized under the Public Irrigation District Law of 1935 would be protected even though such law were repealed without a saving clause."

Therefore the committee recommends the General Assembly consider the repeal of the 1935 Irrigation District Law (Sections 149-4-1 through 149-4-24, C.R.S. 1953) in accordance with the Attorney General's opinion.

Completion of Areas Tentatively Reviewed in 1961

The committee concluded its review of four other areas tentatively studied during 1961: 1) Colorado Council for UNESCO; 2) Department of Veterans Affairs; 3) Commission on Uniform State Laws; and 4) Interstate Cooperation Commission.

Colorado Council for UNESCO

The Colorado Council for UNESCO (United Nations Educational, Scientific and Cultural Organization) was established in 1947 for promoting and educating people for world peace. The Council was given statutory recognition in order to create interest among Colorado citizens and to provide initial impetus to the program.

Generally, the activities of the Council include a hospitality service to foreign visitors, adult education programs, provides speakers and discussion groups for various organizations, disseminates United Nations literature to schools, etc., and provides information and pamphlets on other United Nation activities.

Sections 29-1-1 through 29-1-4, C.R.S. 1953, state that there shall be a Colorado Council for UNESCO and, outside of making the Governor an honorary chairman and providing that the Governor may appoint two official representatives of the state (the length of terms of appointees is not designated in the law), the law does not impose any statutory authority on the Council. Thus, the Council's status as a state body is purely honorary, and the state does not appropriate any monies for the activities of the Council.

The executive board of the Council has reported that statutory recognition of the Council is no longer desired and the board consequently requests the repeal of Sections 29-1-1 through 29-1-4, C.R.S. 1953. The committee agrees with this request and also recommends the General Assembly consider the repeal of the statutory authority of the Colorado Council for UNESCO.

Colorado Department of Veterans Affairs

The Colorado Department of Veterans Affairs (Sections 143-7-1 through 143-7-10, C.R.S. 1953) was created in 1947 to formulate a plan for providing prompt and efficient service to all veterans in the state on a uniform basis; to establish liaison with all county veterans' service officers; to assist veterans in obtaining their rightful claims under federal programs; and to perform such other duties and services as the Board of Veterans Affairs may direct.

Basically, the Colorado Department of Veterans Affairs (CDVA) is a service agency created to fill the post-war need of providing veterans with information concerning their rights and privileges pertaining to the federal program of assistance to veterans. The CDVA does not provide any cash or other monetary benefits to veterans; rather, it assists veterans in filing application for such benefits with the Federal Veterans Administration.

In addition to the Colorado Department of Veterans Affairs, a veteran may receive assistance in filing application for federal benefits through the Federal Veterans Administration, local county veterans' service officers, or the several veterans' organizations.

The activities of the CDVA are under the direction of a seven-member Board of Veterans Affairs which formulates the policies for the operation of the department; studies problems of veterans; and based on these studies, puts into effect programs it deems

advisable or necessary for veterans' assistance by the state of Colorado or its political subdivisions; and makes a continuing study of any such programs put into effect. In this connection, until the Fall of 1960 the board met regularly every three months. However, because of a curtailment of funds and because the need for policy-making decisions by the board is no longer as great as it once was, the board now schedules regular semi-annual meetings.

The staff of the Department of Veterans Affairs consists of the director, deputy director, three veterans' service officers, one administrative secretary, and two intermediate clerk-stenographers, all of whom are under civil service. At one time the department had a total of six men in the field but it does not now have any full-time field men.

Expenditures of the Department of Veterans Affairs have exceeded \$84,000 in the past four fiscal years, as may be noted from Table I.

Table I
EXPENDITURES AND APPROPRIATIONS,*
COLORADO DEPARTMENT OF VETERANS AFFAIRS

Fiscal Years 1960 through 1963

	<u>Actual 1960</u>	<u>Actual 1961</u>	<u>Estimated 1962</u>	<u>Appropriations 1963</u>
Personal Services	\$44,810	\$46,127	\$49,634	\$51,341
Maintenance and Operation	4,952	1,337	2,000	2,000
Travel	2,493	2,577	2,500	2,500
Capital	754	125	---	---
County Veterans' Officers	33,653	34,017	34,360	35,000
Total	\$86,663	\$84,184	\$88,494	\$90,841

* Rounded to nearest dollar.

Most of the department's expenditures are used for staff salaries and for assistance to county veterans' service officers. Section 143-7-10, C.R.S. 1953, limits the amount of the state's contribution for this latter assistance to \$50 per-month and in fiscal year 1960 a total of 44 counties received the maximum of \$600; four counties received from \$500 to \$600; four counties received from \$400 to \$500; eight counties received from \$300 to \$400; and three counties received less than \$300 from the state for their county veterans' service officers.

As the department stated in its annual report for the fiscal year ending June 30, 1960, "It is difficult to portray in statistics or figures the accomplishment of the Department, since there are many factors which may effect the status of a compensation or pension claim. It is not possible to measure the time and effort required to develop a claim because every claim must be considered on an individual basis." With this reservation in mind, the department reported the following summary of its activities and workload for fiscal year 1960:

Telephone Contacts.....	3,515
Office Interviews.....	3,055
Field Contacts.....	659
Letters Received and Written.....	10,702
Department Bulletins.....	2,730
Office Claims Assignment (14,060)	
Compensation.....	2,823
Pension.....	5,496
Insurance.....	491
Education and Training.....	705
Miscellaneous.....	1,861
Claims Briefs Prepared.....	2,684

The committee believes that where the veteran is most in need of assistance is at the local level, the point where the veteran is usually at a loss as to the procedure to follow in obtaining federal assistance. For instance, in outlying areas of the state, where a veteran may not have easy access to the federal offices in Denver, or when a veteran is unable to personally contact the Denver office, there seems to be a need for assistance at the local level. Such service is needed to inform veterans regarding their rights and how benefits may be obtained. For this reason, the committee recommends the continued support of local county veterans' officers by the state. The committee makes this recommendation although, in some counties, a veterans' service officer may have a rather limited workload.

However, since services are available for veterans through the service officers of the various veterans' organizations, as well as the Federal Veterans Administration, there does not appear to be a sufficient need for the state to maintain additional counseling services for veterans along the lines of the program of the CDVA. Rather, the committee believes that adequate service to veterans could be provided through a three-step approach: 1) the local county veterans' officer; 2) followed by assistance of the veterans' organizations, where necessary; and 3) final help through the Federal Veterans Administration.

Therefore, the committee recommends that the activities of the CDVA be discontinued, that all state monies be appropriated for county veterans' service officers on a matching basis as at present, and that the county commissioners continue to provide the services deemed necessary.

Commission on Uniform State Laws

In 1913 the Colorado General Assembly provided for the establishment of a three-man commission, appointed by the Governor with the advice and consent of the Senate, to represent Colorado at the National Conference of Commissioners on Uniform State Laws. The purpose of this conference is to promote uniformity of state laws on all subjects in which uniformity is deemed desirable and practicable; to draft model acts on subjects suitable for interstate compacts or subjects in which uniformity will make more effective the exercise of state powers and promote interstate cooperation; and to promote uniformity of judicial decisions throughout the United States.

The committee supports the activities of the Commission and the National Conference on Uniform State Laws, but is concerned about a possible breakdown in the transmission of information on the activities of the National Conference to members of the General Assembly. Legislation suggested by the National Conference that could be of significant benefit to the people of Colorado may not be receiving proper attention by the General Assembly due to a lack of information concerning the proposed legislation. For this reason the committee believes that section 135-2-1, C.R.S. 1953, be amended to provide that at least one member of the commission be a member of the General Assembly, and, along with the committee recommendations concerning legislative bill drafting, the director of the proposed Legislative Drafting Office be appointed to act as secretary to the Colorado Commission on Uniform State Laws and to see that reports on the activities of the Commission and the National Conference are transmitted to the members of the General Assembly. The committee also recommends that the provision requiring confirmation of the Governor's appointees by the Senate be deleted.

Interstate Cooperation Commission

At present, the Commission on Interstate Cooperation (Sections 74-1-1 through 74-1-10, C.R.S. 1953) is composed of three five-member committees; namely, the Governor's Committee, Senate Committee, and House Committee. Membership of both the House and Senate Committees of the Commission on Interstate Cooperation are selected and designated in the same manner as is customary for the selection of the members and chairman of the other standing committees of the House and Senate; that is, appointments are made by the Speaker of the House and the President of the Senate. The membership of the Governor's Committee is as follows: state controller, attorney general, state planning director, and two other administrative officials or employees designated by the Governor. In addition, the Governor is an ex officio, non-voting member of this committee.

The Commission on Interstate Cooperation, like the Commission on Uniform State Laws, is interested in problems involving inter-governmental relations. The main difference between the two commissions is that the former is interested in the general problems of inter-governmental relations, while the latter is primarily concerned with reciprocal legislation and legislation of particular importance to the judiciary.

The administrative organization committee also supports the activities of the Commission on Interstate Cooperation, but agrees with the commission that greater benefit could be obtained from such activities if the method of selecting commission members were revised. Specifically, the leadership of the General Assembly needs to be assigned a more active role in the area of interstate cooperation as well as promoting more flexibility in the assignment of participants in various multi-state conferences on the part of the Colorado commission. Therefore, the committee recommends that the three committees comprising the present Commission on Interstate Cooperation be abolished and that a new commission be appointed as follows:

from the Senate, the President Pro Tem, the Senate Majority and Minority Floor Leaders, and two senators to be appointed by the Lieutenant Governor; from the House, the Speaker, the Majority and Minority Floor Leaders, and two members to be appointed by the Speaker; and five administrative officials or employees to be appointed by the Governor.

The committee also recommends that the director of the Legislative Council be designated by law to serve as a non-voting secretary to the commission, and that legislative members be compensated for this service in the same manner as other interim legislative committees.

New Areas of Committee Inquiry - 1962

Statutory Executive Department

The committee recommends revision of the "Administrative Code" to clarify language pertaining to the Executive Department of state government. There is an apparent difference between the Executive Department as provided by the State Constitution -- Article IV, Section 1 -- and that enumerated by the Administrative Code. Section 3-1-1 (1), C.R.S. 1953, lists the Executive Department as one of the administrative departments of state government, which might have an unintended implication that the duties and authority of the Governor as chief executive officer of the state are limited to this statutory Executive Department of state government.

The Executive Department as outlined by the Administrative Code consists of the following divisions:

1. Governor's Office;
2. Accounts and Control;
3. Division of Purchasing;
4. Division of Planning;
5. National Guard;
6. State Board of Stock Inspectors;
7. Division of Industrial Relations (Industrial Commission);
8. Division of Regulatory Agencies --
 - a. Public Utilities Commission;
 - b. State Bank Commission;
 - c. Insurance Department; and
 - d. Savings and Loan;
9. Civil Service Commission;
10. State Inspector of Oils;
11. Highway Safety Council;
12. Division of Civil Defense;
13. Department of Rehabilitation; and
14. Division of State Archives and Public Records.

It may be noted that the Code limits the Executive Department to a number of miscellaneous agencies. Even though the so-called staff agencies, such as purchasing, accounts and control, planning, etc., are

included in the Executive Department, there does not seem to be any logical reason for the inclusion of some of the other agencies therein except that they are not directly related to any of the other departments in the Code.

Perhaps the use of the term Executive Department, as used in the Administrative Code, is not intended to refer to the executive branch of government as is the intention of the term as used in the constitution; however, as long as the terminology is the same it would seem that some conflict exists.

In actuality, this statutory Executive Department may be classified as a "paper" department since its repeal would not result in any organizational change for the various state agencies within the department. The agencies listed under the Executive Department of the Administrative Code report directly to the Governor as the chief executive officer of the state, not because they are placed in a department under his direct supervision, but rather because the constitution vests supreme executive power with the Governor.²

The committee recommends that the Administrative Code be amended to provide that administrative agencies not included in the judicial and legislative branches of state government be placed in the executive branch and that the statutory Executive Department be abolished. The committee submits two bills (Appendix H and I of this report) for consideration by the General Assembly. The former conforms with the recommendations of the committee, while the latter (relating to stock inspection) proposes to transfer the functions of the State Board of Stock Inspection, enumerated in Section 3-2-1 (8), C.R.S. 1953, to Chapter 8, Article 1, of the statutes. This proposed transfer is purely mechanical and the committee did not review the merits of the State Board of Stock Inspection as such.

Legislative Reference Office

The Legislative Reference Office was established by the General Assembly in 1927 as an aid to legislators to provide technical advice and information; skilled assistance in drafting bills; reduce the number of unwise laws by collecting information concerning the experience of other states; promote more careful consideration of bills prior to presentation to the General Assembly in order to relieve the Attorney General's Office from undue interference with its regular functions; recommend repeals in certain cases; by codification; and to generally reduce the number of state laws.³

Colorado is one of only seven states in which the services of the Legislative Reference Office are performed by an executive agency -- Colorado, Florida, Hawaii, New Hampshire, Pennsylvania, Texas, and Wisconsin.⁴ The committee believes that the services of the Legislative Reference Office, now a part of the Attorney General's

2. Article IV, Section 2, Colorado Constitution.

3. 3-9-2 (3), C.R.S. 1953; 66-3-1 to 66-3-10, C.R.S. 1953.

4. Legislative Council Memorandum, Bill Drafting and Statute Revision Services, May 23, 1962.

Office, are essential to the proper operation of the General Assembly and that such activities should be solely responsive to the wishes of the General Assembly. Therefore, the committee recommends that the Legislative Reference Office (3-9-2 (3), C.R.S. 1953; 66-3-1 to 66-3-10, C.R.S. 1953) be abolished as presently operating and be reconstituted as the Legislative Drafting Office under the direction of a committee consisting of the Speaker of the House and the Majority and Minority Floor leaders of the House and Senate.

The proposed Bill Drafting Committee would appoint the director and would regulate the salaries of the director and employees. The person appointed director would serve at the discretion of the proposed committee, and the director and the employees would be appointed on a non-partisan, professional basis in the same manner as the staff of the Joint Budget Committee and Legislative Council are appointed.

The director would devote his entire time to the duties of his office and would appoint the employees of the office with the approval of the proposed Bill Drafting Committee.

Department of Commerce and Development

Contrary to most states, Colorado has a three-fold approach to industrial and community development through the activities of the Resources and Community Development Division of the State Department of Employment; the Advertising and Publicity Committee; and the Planning and Development Section of the State Planning Division. The programs of the three agencies in regard to industrial development may be summarized as follows:

Resources and Community Development Division -- is directly engaged in providing industry with economic information concerning the desirability of locating plants in Colorado. Basic area economic studies are supplemented, on a general scale, with specific data requested by individual firms. This information is not presented in terms of a feasibility study for a single industry, but is compiled from available source materials on taxes, population, wages, etc. The division also assists local communities in presenting information concerning their communities to interested firms.

Advertising and Publicity Committee -- limits its approach to industrial development to advertising the benefits of locating plants in Colorado in trade journals and professional magazines. Firms requesting additional information are mailed a folder ("Industrial Colorado") and a covering letter; the Resources and Community Development Division is then informed of all such inquiries for follow-up purposes.

Planning and Development Section -- is not primarily concerned with attracting private industry to locate in Colorado, but rather is concerned with the over-all problems of community development. Of course, a major aspect of community development is the logical location of industry and the utilization of community resources and, in this connection, the division works in close cooperation with the Resources and Community Development Division and the local communities in fostering new industries with respect to the general welfare of the community.

As presently constituted, Colorado's industrial development program is linked substantially to available federal funds. For instance, the Housing Act of 1954 provided funds to states for local planning assistance on a 50 per cent matching basis. In 1961, Congress raised the amount of funds available and permissible federal participation amounts to two-thirds of the cost of local planning projects. Additional monies are also available under the Area Redevelopment Act of 1961 which allows up to three-fourths of cost participation by the federal government. The State Department of Employment and the Planning Division are both receiving the benefits of such federal monies to support research programs and planning studies.

The committee believes that there are three fundamental questions facing the General Assembly, i.e., 1) Is the state of Colorado interested in expanding and improving a program of industrial development for Colorado to meet the competition of other states? 2) If so, can such a program be handled through the present organizational arrangement? and 3) Is the state willing to accept the cost of a revamped program?

In viewing these three questions, it is the consensus of the committee that 1) the area of industrial development or of attracting new industries is highly competitive, and if Colorado is to meet the competition of other states, new program emphasis is needed; 2) the Colorado program of industrial development is too fragmented and lacks central direction (there is also a question as to whether the federal government will continue to approve the spending of federal employment funds as a segment of Colorado's industrial development program); and 3) although reorganization of the present industrial development program will result in increased cost to the state, the benefit gained should far outweigh the additional costs involved.

Generally, the committee believes the state should simplify its organizational structure in order that similar activities will be operating toward common goals with as little duplication as possible. In this sense, although the three agencies presently active in some aspect of Colorado's industrial development program are cooperating effectively, there is no guarantee that with a change in administrative leadership such cooperation would continue. In order to strengthen the state's activity in industrial development, the committee recommends that a new state agency -- a Department of Commerce and Development -- be established to provide a central program of industrial development for Colorado and that the three functions listed above be consolidated in the new department. The committee further believes that consideration should be given to the director being one of the three confidential employees of the Governor. This, of course, would mean that one of the three present appointees of the Governor -- state purchasing agent, director of institutions, or director of revenue -- would be made subject to civil service. It is the opinion of the committee that, while the duties of the state purchasing agent primarily are administrative, the director of the proposed Department of Commerce and Development would be faced with problems of major importance to the Governor's program, much more so than in the case of the state purchasing agent.

Statute Revision Committee

The Committee on Statute Revision was established in 1951 to direct the preparation of the Colorado Revised Statutes of 1953 and to prepare supplements following each legislative session after 1953. Committee membership consists of the Chief Justice of the Supreme Court, or a justice appointed by him; the Attorney General; two senators appointed by the President of the Senate; and two representatives appointed by the Speaker.⁵ Although membership in the committee is composed of individuals from all three branches of government - legislative, executive and judicial - Section 135-3-1, C.R.S. 1953, places the Committee on Statute Revision under the judicial branch of government. (The constitution exempts judicial employees or employees performing judicial functions from the classified service of the state.⁶)

The staff of the Statute Revision Committee consists of a director or revisor of statutes, three full-time employees, and two part-time employees. Section 135-3-3, C.R.S. 1953, provides that the director and his assistant or assistants shall be attorneys and serve at the pleasure of the committee. Clerical and stenographic personnel are also non-civil service. In general the staff is responsible for codification activities; however, when the General Assembly is in session the staff may assist the Legislative Reference Office in bill-drafting activities.

In view of the heavy workload of the Legislative Reference Office during sessions, followed by a rather light workload between sessions, while the opposite is true in the case of the Statute Revision Committee, the committee believes that consolidation of these activities could provide greater continuity of operation and a more stable staffing pattern which would allow the development of an experienced staff and less reliance on part-time employees. Most states (29) have consolidated codification and bill drafting activities in a single agency. Of the 29 states in which bill drafting and codification activities are combined, 16 states (Alabama, Alaska, Arizona, California, Connecticut, Georgia, Indiana, Kentucky, Maine, Massachusetts, Missouri, New Jersey, New Mexico, North Dakota, Oregon, and Pennsylvania) have placed such agencies under legislative control, i.e., in a legislative service agency; in two states (Florida and Rhode Island) these activities are under executive control; in seven states (Kansas, Minnesota, Mississippi, Nebraska, Nevada, North Carolina, and South Dakota) these agencies are operating under the judiciary; and in four states (Delaware, Illinois, Michigan, and Washington) these consolidated activities are directed by boards or commissions composed of officials from more than one branch of government or outside of government service.

Statute revision services only are under the direction of a legislative agency in 17 states; the executive branch in two states (Florida and Rhode Island); under the judiciary in 11 states; and in 12 states such services are under the direction of commissions composed of judges, attorneys, legislators, etc., (Colorado, Connecticut, Idaho, Hawaii, Michigan, New Hampshire, New Mexico, Tennessee,

5. 135-3-1 through 135-3-10, C.R.S. 1953.

6. Article XII, Section 13, Colorado Constitution.

Virginia, Washington, Wisconsin, and Wyoming); and eight states (Arkansas, Maryland, Montana, Oklahoma, Texas, Utah, Vermont, and West Virginia) either contract for codification services or at least do not provide a permanent agency for such services.⁷

In view of the trend in most states to combine the services of statute revision and bill drafting, the Committee on Administrative Organization of State Government appointed a subcommittee to meet with the Statute Revision Committee to discuss the feasibility of coordinating such services. As a result of this meeting, the Committee on Administrative Organization of State Government concluded that now would not be the proper time to reorganize these activities in view of the fact that the Statute Revision Committee is in the final stages of preparation of the Colorado Revised Statutes of 1963. Therefore the committee is not making any recommendations at this time concerning this activity.

Colorado Civil Defense Agency

The Colorado Civil Defense Act of 1950 was adopted in a special session called by Governor Walter Johnson. Basically, the Colorado Civil Defense Act provides for the establishment of a civil defense program under the direction of the Governor and, in the event of attack, grants emergency powers to the Governor. These emergency powers include the enforcement of all laws; enforcement of civil defense rules and regulations; authority to seize and condemn property for the protection of the public; authority to pay compensation for property seized; and the authority to use, sell, lend, or distribute land in order to defend the state and minimize death and suffering to Colorado citizens.

The Colorado Civil Defense Agency is presently active in four major areas:

- 1) over-all coordination of civil defense, i.e., the state agency is responsible for maintaining lines of communication with the 63 counties, for establishing lines of governmental authority, and providing for the organization of manpower, materials, etc.;
- 2) provide for a civil defense training program for local communities;
- 3) assist communities in obtaining surplus property from the federal government for civil defense purposes;
- 4) participate in the federal fallout shelter program (coordinates activity between the federal government and local units of government).

Finances. The finances of the agency are supported through the state general fund and from federal reimbursements. Expenditures for fiscal year 1961 and 1962 and appropriations for fiscal year 1963 are listed as follows:

7. Permanent Legislative Service Agencies, published by the Council of State Governments, and a review of state statutes.

<u>Item</u>	<u>Actual Expenditures 1961*</u>	<u>Estimated Expenditures 1962</u>	<u>Appropriations 1963</u>
Personnel Services	\$41,089	\$48,614	\$50,664
Operating Expenses	5,715	6,286	10,136
Travel	2,160	3,450	3,450
Capital Outlay	3,198	500	750
TOTAL	\$52,162	\$58,850	\$65,000

* The federal government reimbursed \$12,320 to the state, reducing general fund expense for civil defense from \$52,162 to \$39,842.

Since January 1, 1961, the federal government has established a policy of paying one-half of the salaries of the employees of the state civil defense agencies. However, since this policy may be rescinded, the entire personnel expense budgeted for the department is appropriated from the State General Fund.

Personnel. The staff of the Colorado Civil Defense Agency consists of eight people as follows:

- 1) Director - General administrative responsibility of the agency.
- 2) Deputy Director - Supplements general administration of agency but is primarily responsible for educational and training contacts with local civil defense personnel and the public.
- 3) Surplus Property Officer - Maintains surplus property listings and processes requests for equipment from the local civil defense agencies.
- 4) Fallout Shelter Program Officer - Maintains liaison with U.S. Army Corps of Engineers and local governmental units in developing the fallout shelter program.
- 5) Budget Officer and Accountant - Handles administration of state funds and various federal funds funneled through the State Civil Defense Agency.
- 6) Educational Research Officer - Collects and disseminates information on civil defense matters to the local units.
- 7) and 8) Clerk-Stenographers - Provide clerical assistance for the staff.

Federal Program. Colorado's civil defense program is linked closely to the federal program. The 81st Congress of the United States enacted Public Law 920 in January of 1951 which established the Office of Civil and Defense Mobilization. The purpose of the federal civil defense program is two-fold:

- 1) Protection of life and property by preparing for and by carrying out nonmilitary functions to prevent, minimize, repair, and recover from injury and damage; and
- 2) Mobilization and management of resources and production.

The national program for civil defense is an integrated program depending on the joint effort of federal, state and local governments. The federal government is responsible for the direction and coordination of total national effort; each state is responsible for the direction and coordination of its civil defense and the defense mobilization activities of its political subdivisions; and the local units are responsible for activities within their own jurisdiction. However, decisions at the national level determine the policy for local activities.

The development of a fallout shelter program in 1961 is illustrative of the effect changes in the national program have on state activities. Just as the state program is dependent on the federal program, the international picture coupled with technological developments shapes the federal program. For this reason the committee does not believe that it is in a position to recommend changes in the organization of the state operation, especially when the state program is apt to take on an entirely new emphasis as a result of federal activity.

Merit Award Program

The Management Analysis Division called the committee's attention to the need for encouraging state employees to present their ideas to state officials for the improvement in administration of state services. Such programs have been instituted in private industry with great success, and the state of California is reported to have saved an estimated \$16,000,000 in the few short years its merit award program has been in existence. Generally, most merit award programs function on the basis of cash payments to employees for suggestions utilized, with the amount of the award depending on the savings involved as a result of the adoption of the suggestion.

The committee believes that some type of merit award program would be of great benefit to improving state administration, would encourage employees to take a greater interest in the administration of state affairs, and would in the long run result in tax savings. However, the committee realizes that there are a number of problems which must be worked out to institute such a program in Colorado. Questions such as the constitutionality of additional payments to employees, over and above their regular salaries; the amounts of such payments; minimum and maximum limits of such payments; whether certificates or other types of awards could be used successfully; how the program is to be administered; whether supervisory personnel are to be included, etc. One of the problems posed is constitutional -- Article V, Section 28, Colorado Constitution, states:

"No bill shall be passed giving any extra compensation to any public officer, servant or employee, agent or contractor, after services shall have been rendered or contract made, nor providing for the payment of any claim made against the state without previous authority of law."

This constitutional provision may or may not provide an obstacle to the payment of monies to employees for suggestions adopted by the state. Perhaps the establishment of a fund prior to the time suggestions are received would not be unconstitutional under this provision. It would seem that the original intent of this provision was not designed to obstruct an incentive award program but to prevent the additional payment of monies for normal services rendered to the state.

The Civil Service Commission is currently working on a proposed merit award program for state employees. The committee supports the continuation of a study of this problem by the Civil Service Commission and requests that the Civil Service Commission report its findings to the General Assembly.

Annual and Biennial Reports of State Agencies

The Management Analysis Division is in the process of conducting a two-year study of annual and biennial reports of state agencies. Tentative findings of the division indicated that there is needless expense of state funds involved in the publication of reports and considerable monies may be saved if the present statutes were amended to allow more supervisory control by the state controller. Tentative findings of the Management Analysis Division are summarized in the following paragraphs.⁸

Some Agencies Do Not Report. A large group of state agencies do not report regularly to the Governor or the General Assembly. These agencies fall into two categories: a) those who have no statutory requirement for reporting and thus do not feel obligated; and b) those who do have a statutory requirement but, for one reason or another, have failed to meet that requirement. At least one reason for the failure of agencies to comply with statutory reporting requirements is that the requirements are outmoded and impracticable. Present statutes which govern reporting cover a period of eighty-four years, 1877 to 1961. An 1889 statute, for example, provides that the report of the state engineer "shall be delivered at the time when the reports of other state officers are required by law to be made..." (Section 147-11-14, C.R.S. 1953), and there are now eighty-three different statutes, specifying twenty-seven different due dates ranging from January first to December thirty-first, covering periodic reports.

8. Management Analysis Memorandum, Publications Practices and Requirements in the Executive Branch, October 26, 1962.

Some Reports Are Still Biennial. About twelve per cent of all agencies are required to make biennial, rather than annual reports, a requirement dating back to the time when the legislature was meeting biennially. Dates of the statutes requiring biennial reports are: 1881, 1899, 1915, 1917, 1931, and two recent ones -- 1947 and 1961. There is one instance in which an agency has one statutory requirement to report biennially and also two other statutory requirements for annual reports; and all three reports call for the same material. This agency has been forced to make a choice in practice as to which requirement to obey.

Some Reports Have No Due Dates Specified. Even more important is the fact that twenty-four agencies are required by statute to make annual or biennial reports but have no due date specified for submission of their reports and no one charged with enforcement of the requirement. This may account, in part, for the fact that some agencies have let from seven to ten years slip by since making their last annual report.

Confused Distribution Requirements. Compared with the sound management principle that reports should flow upward to an agency's supervisory level, with all reports eventually funneling into the hands of the Governor who must then account to the General Assembly for the activities of the executive branch, present laws and practices are confusing. Despite constitutional provisions on the subject, the independent action of agencies without statutory requirements and the contradictions of particular statutes have caused the flow of reports to be inefficient and unsatisfactory. Many statutes, for example, require that subordinate units bypass their departmental heads and report directly either to the Governor, the General Assembly, or someone else. There are instances in which the Governor himself is bypassed. The channels of flow called for in forty-seven statutes are in direct opposition to good management principles of control and authority.

Required Number of Copies. Agencies who might be interested in reducing their publications costs are prevented from doing so, in some instances, by statutory requirements for an excessive number of copies. Fourteen statutes call for a specified number of copies, with requirements running from four copies to three thousand copies. Two statutes call for "not less than one thousand copies" (State Board of Land Commissioners and Tax Commission). Only rarely are all these copies used. One agency, according to the State Archivist, threw away seven tons of unused reports one year.

No Definite Responsibility. The diversity of reporting statutes and the absence of control provisions have resulted in a situation where no one person in the executive branch has a complete list of the reports which are required from the various executive agencies. Furthermore, no one has a complete list of the reports which are actually produced during any given year. Both the State Library and the Division of Archives keep records on those materials which come to their attention but not for the purposes under consideration here. No person or agency in the executive branch, therefore, is charged clearly with the responsibilities of: (1) obtaining compliance with existing reporting statutes; (2) bringing agencies without statutory reporting responsibilities into line with constitutional requirements; (3) analyzing the content of those reports which do come in; and (4) taking action on items mentioned in reports.

Conclusions. The area of responsibility in reporting is relatively new in government. There are many problems to be solved even after a satisfactory report flow is instituted. One of the more urgent problems is the need for a reduction in both the quantity and the length of reports, to enable the Governor and legislators to quickly get at the substance of each agency's activities. The solution to this problem lies in the reduction of many periodic reports into a single, specially-prepared digest. This idea has been experimented with in several states and the Management Analysis Division is studying the practices of these states.

Another major problem lies in the need for coordination and control of reports, a need which the General Assembly itself long ago recognized in 3-3-1 (5) and (6) of the statutes. At the time these statutes were written, however, the complications, contradictions, and quantities of today's reports were not present. Before the existing control provisions can be satisfactorily implemented, the inconsistencies in the statutes must be removed and some practical means for carrying out the controls must be devised. There appears to be a need for creating a publications coordinator, who will be charged with responsibility for checking, reviewing and transmitting reports; seeing that report practices keep pace with the executive and legislative informational needs; and bringing to the attention of interested parties items requiring action.

Committee Recommendations. The administrative organization committee believes, in view of the aforementioned findings, that statutes limiting the discretion of administrators over the publication and distribution of reports, as well as limiting the power of the controller to approve the publication of the reports, ought to be changed, and that steps be taken to curtail the large number of annual and biennial reports published and distributed by state agencies.

Areas For Further Consideration

It is the consensus of the committee that there is need for an examination of the over-all structure of the executive branch of state government with a view towards reducing the number of state agencies. For example, the Management Analysis Division outlined to the committee several areas in need of centralized administration -- Division of Registrations (state licensing boards) is inoperative and could be providing central administrative services for all state licensing boards; the area of public safety where the State Patrol, Civil Air Patrol, Highway Safety Council, Civil Defense, and National Guard are operating as independent units; and the "so-called" staff agencies of state government could be combined in a Department of Administration, e.g., personnel (Civil Service Commission), purchasing, accounts and control, and planning.

Another area in need of attention is the lack of an extensive post-audit function in Colorado government -- the auditor's office is precluded from being a responsive post-audit for the General Assembly due to the miscellaneous executive duties assigned to the auditor's office -- and the statutes provide problems to the Governor by requiring his presence at the opening of bids, etc., which is an unrealistic use of the Governor's time.

The committee strongly recommends that a committee be established in 1963-64 to continue the work begun by the present committee.

APPENDIX A

A BILL FOR AN ACT
CONCERNING PUBLIC PRINTING, INCLUDING SUPREME COURT REPORTS,
AND THE DISPOSITION OF SUCH PRINTED MATERIAL.

Be It Enacted by the General Assembly of the State of Colorado:

SECTION 1. 37-2-26, Colorado Revised Statutes 1953, is hereby amended to read:

37-2-26. Duty of reporter. It is hereby made the duty of the reporter of the decisions of said court, within four months after a sufficient number of opinions to constitute a volume of the size aforesaid shall ~~be ready-for-delivery~~ HAVE BEEN DELIVERED to him, to ~~have-the-same-compiled-and-prepared~~ COMPILE AND PREPARE THE SAME for publication, ~~in-connection~~ TOGETHER with such other proceedings of said supreme court as the justices thereof may designate for insertion in such volume, ~~together with-the-judges'~~ WITH syllabi, title pages, and ~~lists-of-cases reported-and-cited-therein~~ DIGEST, AND TABLE OF CASES REPORTED. ~~and-he-shall-thereupon-deliver-such-manuscript-copy-at-the printer.~~

SECTION 2. 37-2-27, Colorado Revised Statutes 1953 (1960 Perm. Supp.), is hereby REPEALED AND RE-ENACTED, WITH AMENDMENTS, to read:

37-2-27. Publication of Reports. The chief justice and reporter of the supreme court are responsible for the publication of the reports of the supreme court, and any republishing

or reproduction of said reports and the reports of the court of appeals. The specifications, contracts, and sales pertaining to all such reports shall be handled in accordance with the provisions of chapter 109, article 2, CRS 1953, as amended, entitled "Public Printing."

SECTION 3. 37-2-30, Colorado Revised Statutes 1953, is hereby REPEALED AND RE-ENACTED, WITH AMENDMENTS, to read:

37-2-30. Purchase, distribution, and sale of reports. (1)

Upon the publication of each volume of said reports, the secretary of state shall be responsible for purchasing, through the purchasing agent, as many copies as are required to meet the needs of the state and the public.

(2) The secretary of state shall be responsible for distribution of the reports without charge, and for record-keeping with reference thereto, as follows:

(a) State and territorial libraries, as directed by the librarian of the supreme court.

(b) The library of congress and of the United States supreme court.

(c) The attorney general and secretary of state of Colorado, and officials of the executive branch as required.

(d) District attorneys and judges of Colorado courts of record.

(e) The justices and reporter of the Colorado supreme court.

(f) The law library of the university of Colorado, and the library of any other accredited law school in Colorado.

(g) Copies for use in supreme court library and by the general assembly.

(h) Copies to be used for exchange purposes in the maintenance of the supreme court library, as directed by the librarian of the supreme court.

(3) All copies distributed to offices and agencies of the state of Colorado are at all times the property of the state and not the personal property of the incumbents of the respective offices, and shall be so marked as the property of the state. This shall not apply to the justices and reporter of the supreme court as to volumes prepared during their tenure of office.

(4) The secretary of the state shall also sell the reports of the supreme court to the public at a price which is set at the cost of the report, plus a twenty-five per cent markup for handling. The proceeds from the sale of these reports to the public shall be deposited in the general fund.

SECTION 4. 109-2-3, Colorado Revised Statutes 1953, is hereby REPEALED AND RE-ENACTED, WITH AMENDMENTS, to read:

109-2-3. Classes of printing. All public printing for the state of Colorado shall be divided into four classes, as follows:

(1) The legislative bills, memorials, resolutions, calendars, and journals of the general assembly shall constitute the first class.

(2) The laws passed by the general assembly at each session, known as the "Session Laws of Colorado," shall constitute

the second class.

(3) The reports of the opinions of the Colorado supreme court shall constitute the third class.

(4) All other types of printing required by any governmental agency of the state except as provided in chapter 135, article 4, CRS 1953, as amended, shall constitute the fourth class.

SECTION 5. 109-2-5 (2) and (3), Colorado Revised Statutes 1953 (1960 Perm. Supp.), are hereby amended to read:

109-2-5. Specifications. (2) Legislative bills, memorials, and resolutions, CALENDARS, THE DAILY JOURNALS OF EACH HOUSE OF THE GENERAL ASSEMBLY, AND THE SESSION LAWS shall be printed in accordance with such specifications as shall be set out DRAWN by THE SPEAKER AND CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES AND THE PRESIDENT AND SECRETARY OF THE SENATE. ~~joint resolutions-passed-by-both-houses-of-the-general-assembly,--The calendar-and-daily-journal-of-each-house-of-the-general-assembly shall-be-printed-on-the-same-size-page-and-same-quality-paper as-required-by-said-joint-resolutions-for-legislative-bills.~~

(3) The index of the session laws, the house and senate journals, and such other books as may require an index, shall be set in six point type, the printed page to be at least twenty-five picas wide by forty-five picas high, running title and folio slug included. ~~and, in no case shall the index for any such report be so composed as to involve a charge greater than one and one-half times the price provided in section 109-2-4.~~

SECTION 6. 109-2-5, Colorado Revised Statutes 1953 (1960 Perm. Supp.), is hereby amended by the addition of a NEW SUBSECTION (5) to read:

109-2-5. Specifications. (5) The reports of the supreme court shall be printed in accordance with such specifications as shall be drawn by the chief justice and the reporter of the supreme court.

SECTION 7. 109-2-6, Colorado Revised Statutes 1953, is hereby amended to read:

109-2-6. Contracts for public printing. (1) All public printing for the state of Colorado shall be performed under contract, to be given to the lowest responsible bidder, ~~at-or~~ ~~below-the-maximum-price-and~~ under the regulations herein set forth and under a specific provision that all persons employed by the contractor in the manufacture or furnishing of materials, supplies, or articles in the performance of the contract shall observe the prevailing standards of working hours and conditions fixed and prescribed by the industrial commission of Colorado with reference thereto. ~~and~~ Such contracts shall be made by the state purchasing agent, ~~subject-to-the-approval-of-the~~ ~~governor-and-state-treasurer,~~ after bids have been submitted to the state purchasing agent; provided, ~~however~~ that printing to be done for state ~~institutions-shall~~ AGENCIES OUTSIDE THE DENVER AREA MAY be purchased under the direction of the respective heads of such ~~institutions~~ AGENCIES, in accordance with the rules and regulations established by the state purchasing agent.

(2) The state purchasing agent shall advertise ~~for~~ at least ~~ten-days~~ TWO TIMES in ~~at-least-two-daily-newspapers~~ NEWSPAPERS OF GENERAL DISTRIBUTION published and printed in the city and county of Denver, in sufficient time to insure furnishing of such printing when needed, inviting sealed proposals for doing ~~all~~ printing included in the first, ~~and~~ second, ~~classes~~ OR THIRD CLASSES. ~~Such~~ Calls for bids for the printing specified in the ~~third~~ FOURTH class, shall be made from time to time in the discretion of the state purchasing agent, as such printing may be required for the state and its departments. The state purchasing agent may call for bids on any item or group of items at such times as he may designate, except that printing for the state ~~institutions~~ AGENCIES OUTSIDE THE DENVER AREA may be secured by the respective heads of such ~~institutions~~ AGENCIES, by securing the approval of the state purchasing agent, after a call for bids as specified under rules and regulations established by the state purchasing agent.

SECTION 8. 109-2-7, Colorado Revised Statutes 1953, is hereby REPEALED AND RE-ENACTED, WITH AMENDMENTS, to read:

109-2-7. Bids - specifications. The purchasing agent shall have the responsibility for setting detailed standards and specifications for the submission of all bids. Bids which do not comply with such standards and specifications may be rejected by the purchasing agent. The purchasing agent shall consult with the president of the senate and the speaker of the house of representatives, the secretary of state, and the chief

justice of the Colorado supreme court, as applicable, concerning the content, format, and specifications for printing in classes one, two, and three.

SECTION 9. 109-2-9, Colorado Revised Statutes 1953, is hereby amended to read:

109-2-9. Bid guarantee - opening bid. The state purchasing agent, IN THE CASE OF CLASSES ONE, TWO, OR THREE, shall consider only bids which are accompanied by a ~~bond~~ BID GUARANTEE satisfactory to the state purchasing agent, in the sum of at least ~~five-hundred-dollars~~ FIVE PER CENT OF THE ESTABLISHED VALUE OF THE CONTRACT, conditioned that the person making the bid, if the contract shall be awarded him thereunder, and within ten days after notification that his bid has been accepted, will enter into such contract, in accordance with his bid or proposal, and, in accordance with the provisions of this article and all specifications submitted by the state purchasing agent. ~~provided-however,~~
~~that-any-bond-submitted-by-any-person-under-this-section-may-be~~
~~continued-from-time-to-time-in-the-discretion-of-the-purchasing~~
~~agent-to-cover-further-and-different-contracts,-and-provided~~
~~further-that-the-provisions-of-this-section-shall-not-apply~~
~~where-printing-contracts-are-made-by-heads-of-the-state-institu-~~
~~tions-to-bids-for-classes-one-and-two.~~

SECTION 10. 109-2-10, Colorado Revised Statutes 1953, is hereby amended to read:

109-2-10. Letting of contract - bond. (1) At the hour specified for the opening of bids submitted for printing under classes one, and two, OR THREE, the state purchasing agent, in

the presence ~~of-the-governor-and-the-state-treasurer,-and~~ of such bidders as may choose to attend, shall open ^{such} bids and ~~with the-governor-and-state-treasurer~~ proceed to determine ~~who-is~~ the lowest responsible bidder for each class, having full regard for the ~~probably~~ PROBABLE aggregate cost of all things to be furnished and work to be done under such contract in accordance with such bid. After the determination of same, said purchasing agent, ~~with-the-approval-of-the-governor-and-state-treasurer,~~ immediately shall notify such lowest responsible bidder of his appointment to execute the work, and such bidder thereupon, within ten days after receiving such notice, shall execute a bond to the state of Colorado in such sum as the ~~governor-and-state-treasurer-and~~ state purchasing agent shall determine, conditioned for the faithful performance of his contract in all respects, with sureties to be approved by the ~~governor-and-state-treasurer,~~ STATE PURCHASING AGENT, and such bond shall be deposited with and remain in the custody of the secretary of state.

(2) In case the lowest bidder shall fail to execute such bond or shall fail to enter into contract in accordance with the terms of his bid, he and the sureties on his bond tendered with his bid shall be liable for all costs which may accrue to the state by reason of such failure, to be recovered from him and the sureties on his bond, and any such failure shall be conclusive evidence of damages in at least the sum of one hundred dollars. In case of such failure, the state purchasing agent, ~~with-the-approval-of-the-governor-and-state-treasurer,~~ shall immediately award the contract to the next lowest

responsible bidder, and the same steps shall be taken successively, until a proper contract shall have been executed. The state purchasing agent, ~~with-the-approval-of-the-governor-and-state-treasurer,~~ if he shall deem it for the best interest of the state, may reject any or all bids, or parts of bids, and in such case, as well as on the failure of any successful bidder to enter into contract in accordance with his bid or proposal, then the state purchasing agent, ~~with-the-approval-of-the-governor-and-state-treasurer,~~ shall readvertise for such bids or parts of bids. ~~All-contracts-shall-be-in-effect-immediately-on-their-execution-and-approval,-and-shall-be-and-remain-in-effect-for-the-period-of-two-years,-for-said-classes-one-and-two,~~

SECTION 11. 109-2-12, Colorado Revised Statutes 1953, is hereby amended to read:

109-2-12. Right to print, publish and sell state laws and supreme court reports. UNLESS OTHERWISE PROVIDED BY LAW, nothing in this article shall authorize any person, by virtue of a contract for printing the laws OR SUPREME COURT REPORTS of this state, either directly or indirectly, to print, publish, sell, or give away for his own use or benefit, any such laws OR SUPREME COURT REPORTS; but the right to print, publish, and sell, OR GIVE AWAY ^{OR SUPREME COURT REPORTS} such laws/shall always remain with the state, and in case any such laws OR SUPREME COURT REPORTS shall be printed, published, sold, or given away by any person, except by authority of the state PURCHASING AGENT, such books so printed, published, sold, or given away may be seized by the

state as its property, and the person so printing, publishing, selling, or giving away the same shall forfeit to the state the sum of one hundred dollars for each and every book, volume, or pamphlet so printed, to be recovered by an action ~~in the~~ ~~nature-of-an-action~~ in the name of the state. ~~and~~ UNLESS OTHERWISE PROVIDED BY LAW, the state purchasing agent shall take necessary steps to secure, and shall secure copyrights for and on behalf of the state of Colorado for the printing and publishing of all statutes of the state AND SUPREME COURT REPORTS.

SECTION 12. 63-2-11, Colorado Revised Statutes 1953, is hereby amended to read:

63-2-11. Senate and house journals published. ~~The-secre-~~
~~tary-of-state~~ THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND THE PRESIDENT OF THE SENATE shall cause ~~five-hundred~~ copies of each of the journals of the house of representatives and the senate to be published as soon as practicable after the adjournment of each session of the general assembly. The journals covering regular sessions ~~held-in-even-numbered-years,~~ and of special sessions may be combined in a single volume for this purpose. The chief clerk of the house of representatives and the secretary of the senate shall as soon as possible after adjournment of any session of the general assembly deliver to the secretary of state the original journals of their respective houses. ~~together-with~~ THEY SHALL ALSO DELIVER TO THE PRINTER a complete AND ACCURATE copy of the same, indexed and ready for printing, and also a brief index of all bills, resolutions, and

memorials introduced in each of their respective houses during the session. ~~The secretary of state shall carefully compare the originals of said journals with the copies thereof, making any corrections required, and shall have the corrected copies of the journals printed.~~ When published, the secretary of state THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND THE PRESIDENT OF THE SENATE shall certify to the correctness of the PUBLISHED copies of said journals, which certificate shall be included in and made a part of such publications. Said journals, when printed and certified as aforesaid, together with all former printed volumes of house and senate journals of preceding sessions of general assemblies of the state of Colorado published by authority of the state of Colorado, shall be taken and held as prima facie evidence of the originals thereof.

SECTION 13. 63-2-12, Colorado Revised Statutes 1953, is hereby amended to read:

63-2-12. Disposition of journals. The secretary of state shall deliver one copy of each of the said PUBLISHED journals to the county clerks of the several counties of the state who shall keep them on file for public inspection, and one copy each to the each members MEMBER of the general assembly, and ~~one copy to each of the elective state officers, and one copy to each district and county judge in the state,~~ AND ONE COPY TO THE SUPREME COURT LIBRARY. THE SECRETARY OF STATE SHALL RETAIN SUFFICIENT COPIES FOR OTHER OFFICIAL USES.

SECTION 14. 109-2-25, Colorado Revised Statutes 1953, is hereby REPEALED AND RE-ENACTED, WITH AMENDMENTS, to read:

109-2-25. Publication of laws. Effective with the forty-fourth general assembly it shall be the duty of the chief clerk of the house of representatives and the secretary of the senate, upon approval of the speaker of the house and the president of the senate to arrange and prepare for publication, immediately after the adjournment of each session of the general assembly, a copy of all the laws, resolutions, and memorials passed at such session together with all initiated and referred laws which have been passed by the vote of the people, with a full index and section headings to the Colorado Revised Statutes, and they shall see that the printing and binding of the laws are well executed. The contract and sales pertaining to such publication shall be handled in accordance with this chapter. The signature of the president of the senate, speaker of the house, and governor shall not be printed at the end of each law but only at the end of the volume, and the date of the approval by the governor shall be shown.

SECTION 15. 37-2-28, 37-2-29, 37-2-31, 109-2-4, 109-2-5 .(4) (a), and 109-2-17, Colorado Revised Statutes 1953, as amended, are hereby repealed.

SECTION 16. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

APPENDIX B

A BILL FOR AN ACT

CONCERNING THE STATE BUREAU OF CHILD AND ANIMAL PROTECTION.

Be It Enacted by the General Assembly of the State of Colorado:

SECTION 1. 21-1-1, Colorado Revised Statutes 1953, is hereby amended to read:

21-1-1. Bureau, how constituted. The Colorado humane society shall be and hereby is constituted a state bureau of ~~child-and~~ animal protection for the purposes hereinafter set forth; provided, that the said humane society shall accept and carry out the provisions of this chapter.

SECTION 2. 21-1-3, Colorado Revised Statutes 1953, is hereby amended to read:

21-1-3. Duties of bureau. It shall be the duty of the said bureau to secure the enforcement of the laws for the prevention of wrongs to ~~children-and-dumb~~ animals; to assist the organization of district and county societies and the appointment of local and state agents, and give them representation in the state bureau; to aid such societies and agents in the enforcement of the laws for the prevention of wrongs to ~~children-and-dumb~~ animals; and to promote the growth of education and sentiment favorable to the protection of ~~children-and~~ dumb animals.

SECTION 3. 21-1-4, Colorado Revised Statutes 1953, is hereby amended to read:

21-1-4. Meetings. Said bureau shall hold its annual meetings on the second Monday in November in each year, at ~~the-capitol-of-the-state,~~ for the transaction of its business and the election of its officers, at which meeting all questions relating to ~~child-and~~ animal protection in the state may be considered.

SECTION 4. 40-20-9, Colorado Revised Statutes 1953, is hereby amended to read:

40-20-9. Officers may take charge of abandoned animals. Any officer or agent of ~~the-Colorado-humane-society,~~ the state bureau of ~~child-and~~ animal protection, may lawfully take charge of any animal found abandoned, neglected, or cruelly treated for the purpose of preventing suffering and to protect the property of the owner, and shall thereupon give notice to the owner if known and if the owner is not known said officer or agent shall give notice to the state board of stock inspection COMMISSIONERS. He may then care and provide for such animal until the owner shall take charge of the same, and the expense of such care and maintenance shall be a charge against the owner of such animal and collectible by enforcement of the lien against such animals, as hereinafter created, or from such owner' by ~~the-Colorado-humane-society,~~ the state bureau of ~~child-and~~ animal protection in an action therefor; provided, that stock on the range shall not be considered abandoned or neglected unless suffering for the want of food or water or care if sick or injured; provided, further, that no expense of care and maintenance of said animal shall become a charge against the

owner until notice has first been given either to the owner, or to the state board of stock inspection COMMISSIONERS if the owner is not known.

SECTION 5. 40-20-11, Colorado Revised Statutes 1953, is hereby amended to read:

40-20-11. Lien upon animals for care and maintenance. The ~~Colorado-humane-society,~~ the state bureau of ~~child-and~~ animal protection, shall be entitled to and there is hereby created a lien upon such animals for said care and maintenance under any of the provisions of sections 40-20-1 to 40-20-15, and may enforce the same by selling the animals upon which the lien is created at public auction upon first giving written notice to the owner, if he is known, of the time and place of such sale at least five days previous thereto and after posting three notices of the time and place of such sale in three public places within the county in which the animals are taken or in which the owner resides at least five days previous thereto, and after publishing a notice of said sale in a newspaper published in the county where such animals are advertised to be sold, ~~and after mailing a copy of said notice to the postmaster to be posted at the postoffice where said newspaper is published.~~ If the owner be unknown then such notice, containing a full description of said animals including all brands shall be posted as provided at least ten days previous to such sale. In case the animals are branded and the owners unknown, a copy of such notice containing a copy of the brands shall forthwith be sent ~~to the stock inspector of the district in which such animals are taken and~~ to the board of stock inspection commissioners,

who shall at once forward a notice giving the facts to the recorded owners of the brand or brands found on such animals.

SECTION 6. Repeal. 21-1-2, 21-1-5, and 21-1-6, Colorado Revised Statutes 1953, are hereby repealed.

SECTION 7. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

APPENDIX C

A BILL FOR AN ACT
CONCERNING THE DEPARTMENT OF TAXATION AND REVENUE.

Be It Enacted by the General Assembly of the State of Colorado:

SECTION 1. 3-1-1 (3), Colorado Revised Statutes 1953,
is hereby amended to read:

3-1-1. (3) Department of ~~taxation-and~~ revenue.

SECTION 2. 3-7-1 and 3-7-2, Colorado Revised Statutes
1953, are hereby repealed.

SECTION 3. The general assembly hereby finds, deter-
mines, and declares that this act is necessary for the imme-
diate preservation of the public peace, health, and safety.

APPENDIX D

A BILL FOR AN ACT
CONCERNING PUBLIC IRRIGATION DISTRICTS, AND TO REPEAL
ARTICLE 4, CHAPTER 149, COLORADO REVISED STATUTES 1953.

Be It Enacted by the General Assembly of the State of Colorado:

SECTION 1. Article 4, chapter 149, Colorado Revised Statutes 1953, is hereby repealed; provided, that such repeal shall not be effective as to any public irrigation district organized under said article prior to and existing on the effective date of this act, but as to any such district, said article shall remain in full force and effect.

SECTION 2. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

APPENDIX E

A BILL FOR AN ACT
ABOLISHING THE COLORADO COUNCIL OF UNESCO.

Be It Enacted by the General Assembly of the State of Colorado:

SECTION 1. Article 1 of chapter 29, Colorado Revised Statutes 1953, is hereby repealed.

SECTION 2. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

APPENDIX F

A BILL FOR AN ACT
CONCERNING THE COMMISSIONERS FOR THE PROMOTION OF UNIFORM STATE
LAWS.

Be It Enacted by the General Assembly of the State of Colorado:

SECTION 1. 135-2-1, Colorado Revised Statutes 1953, is hereby amended to read:

135-2-1. Commissioners appointed - duties. (1) The governor shall ~~nominate-and,-by-and-with-the-advice-and-consent-of the-senate,~~ appoint three persons, who shall be learned in the law, to be and to constitute commissioners by the name and style of "Commissioners for the Promotion of Uniform State Laws". ~~Upon the-expiration-of-the-term-of-office-of-a-commissioner,-the-governor-shall-appoint-one-such-commissioner-for-a-term-of-six-years, and-he-shall-fill-vacancies-among-such-commissioners-as-soon-as practicable.~~ AT LEAST ONE OF SUCH COMMISSIONERS SHALL BE A MEMBER OF THE GENERAL ASSEMBLY. THE TERMS OF OFFICE OF COMMISSIONERS SHALL BE SIX YEARS; PROVIDED, THAT IF THE COMMISSIONER APPOINTED FROM THE GENERAL ASSEMBLY SHALL, DURING HIS TERM OF OFFICE AS A COMMISSIONER, CEASE TO BE A MEMBER OF THE GENERAL ASSEMBLY, HIS APPOINTMENT AS COMMISSIONER SHALL TERMINATE, AND ANOTHER MEMBER OF THE GENERAL ASSEMBLY SHALL BE APPOINTED IN HIS PLACE. VACANCIES SHALL BE FILLED FOR THE REMAINDER OF THE UNEXPIRED TERMS.

(2) It shall be the duty of such commissioners to examine the subjects of legislation upon which uniformity among the states of the United States shall be deemed by them to be desirable, to ascertain the best means to effect uniformity in

the laws among the states, to represent the state of Colorado in conventions of like commissioners of other states for the consideration and recommendation of bills for uniform laws to be submitted to the state legislatures for their action, and to devise and recommend such other courses of action as they shall deem best suited to accomplish the purpose of this article.

SECTION 2. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

APPENDIX G

A BILL FOR AN ACT
CONCERNING THE COLORADO COMMISSION ON INTERSTATE COOPERATION.

Be It Enacted by the General Assembly of the State of Colorado:

SECTION 1. 74-1-4, Colorado Revised Statutes 1953, is hereby REPEALED AND RE-ENACTED, WITH AMENDMENTS, to read:

74-1-4. Colorado commission on interstate cooperation.

(1) There is hereby established a commission on interstate cooperation to be known as the "Colorado commission on interstate cooperation." The commission shall be composed of fifteen members, namely:

(a) Five members of the senate, to consist of the president pro tem, the majority and minority leaders, and two members to be appointed by the lieutenant governor, one from the majority and one from the minority party.

(b) Five members of the house of representatives to consist of the speaker, the majority and minority leaders, and two members to be appointed by the speaker, one from the majority and one from the minority party.

(c) Five members to be appointed by the governor from administrative officials and employees of the state.

(2) Appointments of members to the commission shall be made on or as soon as possible after the convening of the first regular session of a general assembly, provided that appointments of members first appointed to the commission shall be made as soon as possible after the effective date of this act.

Membership on the commission shall terminate upon the convening of the first regular session of the general assembly held next after appointment to membership. A member of the commission may be appointed to succeed himself, and vacancies in the membership shall be filled in the same manner as original appointments are made.

(3) The commission shall meet as often as may be necessary to perform its functions, but it shall not meet less frequently than once in each quarter of the calendar year. The commission shall function during sessions of the general assembly and also during the interim periods between such sessions. The commission shall elect from its membership a chairman and vice-chairman, and the director of the legislative council shall serve as secretary of the commission, without a vote. Eight members shall constitute a quorum, and a majority thereof, or of the number of members present at any meeting if more than a quorum, shall have authority to act on any matter within the jurisdiction of the commission.

SECTION 2. 74-1-8, Colorado Revised Statutes 1953, is hereby amended to read:

74-1-8. Report - expenses. The commission shall report to the governor and to the legislature ~~within-fifteen-days-after~~ ON OR BEFORE the convening of each regular legislative session, and at such other times as it deems appropriate. LEGISLATIVE MEMBERS SERVING ON THE COMMISSION SHALL BE CONSIDERED MEMBERS OF AN INTERIM COMMITTEE OF THE GENERAL ASSEMBLY UNDER THE PROVISIONS OF SECTION 63-2-7 (4) (d), CRS 1953, AS AMENDED BY

CHAPTER 62 S. L. 1962, AND SHALL BE COMPENSATED AND REIMBURSED FOR NECESSARY EXPENSES INCURRED IN ACCORDANCE THEREWITH. ~~Its members~~ OTHER MEMBERS OF THE COMMISSION and the members of all delegations and committees which it establishes shall serve without SPECIFIC compensation for such service, but they shall be paid their necessary expenses in carrying out their obligations under this article. ~~The-commission-may-employ-a-secretary and-a-stenographer,--It~~ THE COMMISSION MAY EMPLOY SUCH PERSONNEL AND may incur such other expenses as may be necessary for the proper performance of its duties, and, by contributions to the council of state governments, it may participate with other states in maintaining the council's district and central secretariats, and its other governmental services. VOUCHERS COVERING EXPENSES OF THE COMMISSION SHALL BE SIGNED BY THE CHAIRMAN, AND WARRANTS SHALL BE DRAWN BY THE STATE CONTROLLER IN PAYMENT THERE-OF AS PROVIDED BY LAW.

SECTION 2. Repeal. 74-1-1, 74-1-2, 74-1-3, 74-1-5, and 74-1-9, Colorado Revised Statutes 1953, are hereby repealed.

SECTION 3. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

APPENDIX H

A BILL FOR AN ACT
AMENDING "THE ADMINISTRATIVE CODE OF 1941", AND ABOLISHING
THE STATUTORY EXECUTIVE DEPARTMENT.

Be It Enacted by the General Assembly of the State of Colorado:

SECTION 1. 3-2-1, Colorado Revised Statutes 1953, as amended, is hereby REPEALED AND RE-ENACTED, WITH AMENDMENTS, to read:

3-2-1 Offices, boards, etc. under executive department.
In addition to the administrative departments created by section 3-1-1, the executive department shall include, but not be limited to, the following offices, boards, divisions, and agencies, which shall be responsible to the governor as the supreme executive power of the state. The governor shall also have and may exercise, with respect to these offices, boards, divisions, and agencies, such powers of supervision, approval, direction, and appointment as may be exercised by the chief executive officers of other administrative departments:

- (1) Office of the governor;
- (2) Division of accounts and control;
- (3) Division of purchasing;
- (4) Division of planning;
- (5) Colorado national guard, including the Colorado state guard;
- (6) State board of stock inspection commissioners;
- (7) Industrial commission of Colorado;

- (8) Public utilities commission;
- (9) Banking department, commissioner of banking, and banking board;
- (10) Insurance department and the commissioner of insurance;
- (11) Savings and loan department and the state commissioner of savings and loan associations;
- (12) Civil service commission;
- (13) State inspector of oils;
- (14) Colorado highway safety council;
- (15) Division of civil defense;
- (16) Department of rehabilitation;
- (17) Division of state archives and public records.

SECTION 2. 3-2-2, Colorado Revised Statutes 1953, is hereby amended to read:

3-2-2. Restriction of number of employees. It shall be the duty of the governor as ~~chief-officer-of-the-executive-department~~ THE SUPREME EXECUTIVE POWER OF THE STATE to restrict the number of employees in the various ~~divisions~~ OFFICES, BOARDS, DIVISIONS, AND AGENCIES of ~~said~~ THE EXECUTIVE department to the lowest number required for efficient operation thereof. and In making any appointment or in approving ~~the-appointments-of-any subordinate-head-of-any-such-division~~ ANY APPOINTMENT MADE BY ANY OTHER OFFICIAL OF THE EXECUTIVE DEPARTMENT, the governor shall certify in writing that he deems such ~~appointments~~ APPOINTMENT necessary and for the best interests of the public service. IN THE EXERCISE OF HIS RESPONSIBILITY, THE GOVERNOR MAY DELEGATE IN WRITING TO SOME OTHER OFFICIAL THE POWER TO APPROVE OR

DISAPPROVE APPOINTMENTS MADE BY OTHER OFFICIALS OF THE EXECUTIVE DEPARTMENT, SUBJECT ALWAYS TO FINAL REVIEW BY THE GOVERNOR AT HIS OPTION.

SECTION 3. 3-2-3, Colorado Revised Statutes 1953, is hereby amended to read:

3-2-3. Transfer of employees. For the purpose of providing necessary flexibility to meet working conditions and seasonal demands, the governor shall have power, when he shall be of the opinion and shall so certify in writing that it is necessary or desirable so to do, to transfer any employee of any OFFICE, board, DIVISION, OR AGENCY ~~commission-er-bureau~~ of the state government to any OTHER office, ~~department,~~ board, DIVISION, OR AGENCY ~~commission-er-bureau~~ of the state government for such time as in the opinion of the governor shall be necessary. ~~The-governor-shall-also-have-power-and-authority,-if-and-when-he-shall-deem-it-necessary-and-shall-so-certify-in-writing,-giving-his-reasons-therefor,-to-transfer-from-the-contingent-and-incidental-fund-of-any-department,-board-or-bureau-having-a-surplus-therein-to-any-department,-board-or-bureau-having-a--deficit-in-its-contingent-and-incidental-fund-such-sums-as-he-may-deem-necessary,~~

SECTION 4. Article 3 of chapter 3, Colorado Revised Statutes 1953, as amended, is hereby amended by the addition of a NEW SECTION to read:

3-3-15. Controller head of division - bond. The controller shall be the head of the division of accounts and control and shall be responsible to the governor. He shall be bonded in

such sum as the governor may fix.

SECTION 5. Article 4 of chapter 3, Colorado Revised Statutes 1953, as amended, is hereby amended by the addition of a NEW SECTION to read:

3- 4-12. State purchasing agent. The state purchasing agent shall be one of the three confidential employees of the governor's office as provided by article XII, section 13, of the state constitution. He shall be appointed by the governor, and his term of office shall be coterminous with the tenure of office of the governor making said appointment, but he may be removed at the pleasure of the governor. He shall be qualified by education and experience to conduct the division of purchasing.

SECTION 6. Repeal. 3-1-1 (1) is hereby repealed.

SECTION 7. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

APPENDIX I

A BILL FOR AN ACT

TO AMEND 8-1-1, COLORADO REVISED STATUTES 1953, CONCERNING THE
STATE BOARD OF STOCK INSPECTION COMMISSIONERS AND THE BRAND
COMMISSIONER.

Be It Enacted by the General Assembly of the State of Colorado:

SECTION 1. 8-1-1, Colorado Revised Statutes 1953, is
hereby REPEALED AND RE-ENACTED, WITH AMENDMENTS, to read:

8-1-1. State board of stock inspection commissioners -
brand commissioner. (1) There is hereby created a state board
of stock inspection commissioners, composed of five commission-
ers who shall be appointed by the governor, all of whom shall
be engaged in the running and raising of cattle or cattle and
sheep. The members of the board shall be appointed in such
manner as will at all times represent as nearly as possible
all sections of the state wherein livestock is a major activity;
provided, that at no time shall any two members be residents of
the same particular section of the state. The term of office
of said commissioners shall be for a period of five years.
The members serving on the board on the effective date of this
section shall continue in office for the remainder of the terms
for which they were appointed. Members may be removed for
cause by the governor. They shall serve without compensation
except for actual and necessary traveling expenses. The board
shall meet monthly unless, in case of emergency declared in
writing by the governor, a special meeting or meetings are

deemed advisable.

(2) The board shall appoint a brand commissioner who shall be under its supervision and who, in the absence of the board, shall carry out its policies. The brand commissioner shall be subject to the civil service laws of the state. His compensation shall be paid out of the brand inspection fund. The brand inspector certified by the civil service commission to his position on the effective date of this act shall continue in such certified status as provided by law.

(3) The board shall make such rules and regulations, not inconsistent with law, concerning the manner of inspection of brands and livestock, as it shall deem proper.

SECTION 2. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

APPENDIX J

A BILL FOR AN ACT CREATING THE LEGISLATIVE DRAFTING OFFICE AS A PART OF THE LEGISLATIVE DEPARTMENT OF THE STATE GOVERNMENT, AND ABOLISHING THE LEGISLATIVE REFERENCE OFFICE.

Be It Enacted by the General Assembly of the State of Colorado:

SECTION 1. Creation of office. To assist the general assembly in the drafting of proposed legislation, the legislative drafting office, hereinafter referred to as "the office", is hereby established as a part of the legislative department of the state government.

SECTION 2. Committee appoint director - personnel - compensation and expenses. A committee, consisting of the speaker and the majority and minority leaders of the house of representatives and the majority and minority leaders of the senate, shall appoint a director of the office, who shall be administrative head of the office, appointed solely upon the basis of ability and experience and without reference to political affiliation. The director shall be a full-time employee of the office and shall devote his entire time to the duties of the office. The director shall appoint additional professional, technical, and clerical employees for such periods of time as may be necessary to perform the duties assigned to the office. The director and all employees of the office shall be employees of the general

assembly, not subject to the state civil service. The compensation of the director and of all other employees shall be fixed by the committee. Vouchers covering salaries and expenses of the office shall be signed by the director, and warrants shall be drawn by the state controller in payment thereof, upon funds appropriated for the expenses of the legislative department.

SECTION 3. Office in capitol - office hours. The office shall be maintained in suitable and adequate quarters in the state capitol, conveniently located for the members of the general assembly, and shall be open during the hours prevailing in other offices in the state capitol, and at such other times during sessions of the general assembly as may be required.

SECTION 4. Functions and duties of office. The office shall:

(1) Collect, classify, and index materials relating to pending or prospective legislation, without undue duplication of material contained in the supreme court library;

(2) Accumulate data and statistics regarding the practical operation of statutes of this and other states;

(3) Conduct a systematic study and review of statutes in effect in this state, and make recommendations concerning the correction of ambiguous and conflicting provisions therein, and for repeal of obsolete statutes.

(4) Cooperate with similar offices in other states for the exchange of materials and information.

(5) Upon the request of the governor, the attorney general, or any member of the general assembly:

(a) Draft or aid in drafting bills, resolutions, or memorials and amendments thereto;

(b) Advise as to the probable or possible effects of proposed legislation;

(c) Prepare summaries of existing statutes affected by proposed legislation;

(d) Prepare compilations of statutes in other states relating to the subject matter of proposed legislation, and the operation and effect of such statutes;

(e) Make research upon the subject of proposed legislation;

(f) Advise the governor, if he so requests, with respect to any bill before him for signature after adjournment of the general assembly.

(6) Maintain useful and pertinent records of the proceedings of the general assembly.

(7) Establish and maintain proper working relationships with the legislative council and the joint budget committee.

(8) Perform such other duties as the general assembly may require.

SECTION 5. Drafting of bills. All requests for drafting of bills, resolutions, and memorials by the office shall be submitted in writing. Any such request shall contain a general statement as to the purposes which the bill, resolution, or

memorial is intended to accomplish. The office shall draft each requested bill, resolution, or memorial in conformity with the request, or in accordance with supplementary instructions of the person making the request. Neither the director nor any employee of the office shall reveal to any person outside the office the contents or nature of any such request or statement except with the consent of the person making the request, nor shall the director or any employee of the office lobby for or against any pending legislation, either personally or by letter.

SECTION 6. Use of supreme court library. The librarian of the supreme court library shall facilitate the work of the office by permitting the liberal withdrawal of materials and data therefrom, subject to such reasonable rules as may be necessary for the proper operation of the library.

SECTION 7. Records of office. All records, documents, indices, data, and other materials in the office shall be available for reference purposes at all times to members of the general assembly, to state and municipal officers, including members of boards and commissions, and to the public generally, subject to such rules as may be necessary for the proper operation of the office.

SECTION 8. Director serve as secretary to uniform law commissioners. The director of the office shall serve as secretary to the commissioners for the promotion of uniform state laws, appointed pursuant to the provisions of article 2 of

chapter 135, CRS 1953.

SECTION 9. Repeal. 3-9-2 (3) and all of article 3 of chapter 63, Colorado Revised Statutes 1953, are hereby repealed.

SECTION 10. Effective date. This act shall take effect on July 1, 1963, and on said date, all office equipment, supplies, and records of the legislative reference office shall become the property of the legislative drafting office.

SECTION 11. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

APPENDIX K

A BILL FOR AN ACT
CREATING A DEPARTMENT OF COMMERCE AND DEVELOPMENT, AN
ADVISORY COMMITTEE FOR SAID DEPARTMENT, AND PROVIDING
FOR THE POWERS AND DUTIES THEREOF; AND TRANSFERRING TO
SAID DEPARTMENT OF COMMERCE AND DEVELOPMENT PERTINENT
FUNCTIONS AND DUTIES OF EXISTING STATE AGENCIES.

Be It Enacted by the General Assembly of the State of Colorado:

SECTION 1. Creation of department - director - assistants.

There is hereby created a department, in the executive department of the state government of Colorado, to be known as the department of commerce and development, hereinafter referred to as "the department". The department shall be in charge of a director, who shall be appointed by the governor. The director shall appoint such assistants and clerical employees as may be deemed necessary to effectively administer this act. The director and such assistants and employees shall be appointed pursuant to article XII, section 13 of the state constitution.

SECTION 2. Advisory committee - duties. (1) There is hereby created an advisory committee for the department. The advertising and publicity committee created by section 134-1-1, CRS 1953, shall serve ex officio as such advisory committee, and the members of said advertising and publicity committee, shall, by virtue of membership on said committee, constitute the members of the advisory committee hereby created. Members of the advisory committee shall receive no compensation for

their service as members thereof, except that they shall be entitled to reimbursement for the actual and necessary travelling and other expenses incurred in the discharge of official duties, to be paid from the appropriations made to the department. No member of the committee, nor any business enterprise in which a member has a direct interest, shall profit directly or indirectly from expenditures authorized by the committee. Officers of the advertising and publicity committee shall constitute the officers of the advisory committee. Regular meetings of the advisory committee shall be held at time of regular meetings of the advertising and publicity committee, and special meetings may be called on written notice to each member at such other times and places within the state as the majority of the committee or the chairman shall deem necessary and proper for the transaction of the business of the committee.

(2) The advisory committee shall have the following responsibilities and duties:

(a) To keep itself informed concerning the activities and operation of the department;

(b) To act in a general advisory capacity to the director, and to make recommendations concerning the operation of the department;

(c) To consider the state development plans, hereinafter provided for, or any part thereof, prior to its submission to the governor, and to advise the director in regard thereto, and to stimulate public participation and interest in development plans.

(d) To consider the needs of the state for further

development, including needs of regional or metropolitan areas;

SECTION 3. Powers and duties of director. Acting through and on advice of the advisory committee, the director shall have the power and it shall be his duty:

(1) To investigate, study, and undertake ways and means of promoting and encouraging the prosperous development and protection of the interest and welfare of Colorado business, agriculture, industry, labor, and commerce within and outside the state, and the securing of additional employment and pay-rolls within the state;

(2) To promote and encourage the expansion and development of markets for Colorado products;

(3) To promote and encourage the location and development of new business in the state as well as the maintenance and expansion of existing business, and for that purpose to cooperate with state and local agencies and individuals both within and outside the state;

(4) To plan and develop an effective business information service both for the direct assistance of industry, labor, and agriculture of the state and for the encouragement of industries outside the state to use business facilities within the state;

(5) To compile, collect, and develop periodically, or otherwise make available, scientific indices and other information relating to current business, labor, and agricultural conditions;

(6) To encourage and develop commerce with other states and foreign countries;

(7) To cooperate with the Colorado commission on interstate cooperation and other interstate commissions engaged in formulating and promoting the adoption of interstate compacts and agreements helpful to business, agriculture, labor, industry, and commerce, and in devising ways and means of removing trade barriers hampering the free flow of commerce between this and other states;

(8) To conduct or encourage research designed to further new and more extensive uses of the natural and other resources of Colorado, and designed to develop new products and industrial processes;

(9) To study trends and developments in the industries of the state and to analyze the reasons underlying such trends; to study costs and other factors affecting successful operation of businesses within the state; and to make recommendations regarding circumstances promoting or hampering industrial development;

(10) To compile periodically a census of business, agriculture, labor, and industry in the state with the cooperation of other agencies; and to analyze and publish this information in such form as to be most valuable to business, agriculture, labor, and industry of the state;

(11) To make to the governor and to the general assembly, from time to time, recommendations for the study or improvement of any conditions, and for the elimination of any restrictions and burdens imposed by law, or otherwise existing, which adversely affect or retard the legitimate development and expansion of business, agriculture, industry, employment opportunities,

or commerce;

(12) To publicize the material and economic advantages of the state which render it a desirable place for business and residence;

(13) To encourage and cooperate with other public and private organizations or groups in publicizing the industrial advantages and attractions of the state;

(14) To promote and encourage agriculture and new uses of agricultural products in industry.

(15) To advise and cooperate with all other local, state, and federal departments, educational institutions, and agencies, and to coordinate its work and activities with agencies and groups interested in the state's economic development.

SECTION 4. Offices of department - expenses and salaries - report. (1) The department shall be provided with space in the state capitol or other state buildings suitable for the performance of its duties. The offices of the department shall be open during the hours prevailing in other offices in the state capitol.

(2) Vouchers covering salaries and expenses of the department shall be signed by the director, and warrants shall be drawn by the state controller in payment thereof as provided by law.

(3) The director shall prepare and submit to the governor and to the general assembly each year, a report of the activities of the department, together with such information and data in the possession of the department as the director shall

deem of value to the governor, the general assembly, and the people of the state of Colorado.

SECTION 5. Matching funds, gifts - bequests. The director, with the approval of the governor, is empowered to receive and expend all funds, grants, gifts, and bequests, including federal and state funds and other funds available for the purposes for which the department was created, and to contract with the United States and all other legal entities with respect thereto, including legally constituted regional, county, metropolitan, and municipal planning commissions or districts. The department may provide, within the limitations of its budget, matching funds wherever funds, grants, gifts, bequests, and contractual assistance are available on such basis. The department shall provide such information, reports, and services as may be necessary to secure such financial aid.

SECTION 6. Planning functions. (1) The department shall prepare, perfect, and coordinate, from time to time, long-range plans for the development of the state and the subdivisions thereof. Such plans shall be made with the general purpose of guiding and accomplishing a coordinated, efficient, and economic development of the state, which will best promote the health, safety, order, convenience, prosperity, and welfare of the people of the state. The director shall submit to the governor and the advisory committee such long-range plans, or any part thereof, or amendments or additions thereto, as the department may prepare. Such plans, or any part thereof, or amendments or

additions thereto, may be accompanied by such recommendations as the director sees fit to make, and in the event the advisory committee does not concur in such recommendations of the director, it may submit its own recommendations to the governor. The governor may adopt such plans or recommendations, or any part thereof, or amendments or additions thereto, by executive order, or in such manner as he deems necessary.

(2) In connection with the planning functions of the department, the director shall:

(a) Promote public interest in and understanding of the long-range plans and the problems of state planning, and to that end shall publish and distribute copies of the plans, and recommendations, when adopted, or of any report to interested persons, including the members of the general assembly, and may employ such other means of publicity and education as the director may determine, with the approval of the governor;

(b) Cooperate with the United States, and with other states, and with their agencies, for the purpose of bringing about a coordination between the development of the state of Colorado and other sections of the United States;

(c) Advise and cooperate with municipal, metropolitan, county, regional, and other local planning authorities within the state for the purpose of promoting coordination between state and local development. Any municipal, metropolitan, regional, county, or other local commission or official may request the department to provide information within its possession which bears upon such coordination and, if the director approves such request, such information shall be furnished.

(d) The department shall prepare and submit to the governor for approval and transmittal, at his discretion, to the general assembly, suggested legislation to carry out such long-range plans or recommendations, or any part or amendment thereof or addition thereto.

SECTION 7. Publications - non-cooperation - penalty. (1)

For the purpose of preserving records of the economy of the state and its development in the several counties of the state, it shall be the duty of the department to issue statistical publications containing detailed information of the economic activities of the state, reviews of the several functions of state government, and such other information as shall be deemed desirable for publications of such character.

(2) Any person having in his possession information necessary for carrying out the purposes of this section who fails or refuses to furnish such information to the department upon the request of the director, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in a sum of not more than five hundred dollars.

(3) Upon request of the director, any public official shall furnish to the department as soon as possible such statistical or economic information as the division may need for its work. Any county, state, or municipal official who fails or refuses to collect or compile for the department such information upon request of the director and upon being supplied with proper blanks for collecting and compiling the same shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in a sum of not more than five hundred dollars.

SECTION 8. Transfer of employees and property - reference in contracts, etc. (1) On the effective date of this act, all officers and employees of the state advertising and publicity committee and of the Colorado department of employment security, and of the division of planning, whose principal duties were concerned with the functions hereby transferred to the department, and whose employment in the department shall be deemed necessary by the director and the governor to carry out the purposes of this act, shall become officers and employees of the department. In the event that the operation of this act results, by reason of such transfer of functions, in the discontinuance of employment of any officer or employee certified to a position in the office of the state advertising and publicity committee and of the Colorado department of employment security, and of the division of planning, such officer or employee shall retain his civil service rights in accordance with the rules and regulations of the civil service commission.

(2) On the effective date of this act, all property, including office furniture and fixtures, and books, documents, and records, which were principally used for and pertain to the duties and functions transferred to the department from the state advertising and publicity committee and the Colorado department of employment security, and the division of planning, shall be transferred to and become the property of the department.

(3) Whenever the state advertising and publicity committee or the Colorado department of employment security, or the division of planning, is referred to or designated by any contract

or other document in connection with the duties and functions hereby transferred, such reference or designation shall be deemed to apply to the department.

SECTION 9. 134-1-3 (1), Colorado Revised Statutes 1953, is hereby amended to read:

134-1-3. Powers - meetings - staff - reports. (1) The Colorado advertising and publicity committee shall have full power and authority to advertise and publicize the state of Colorado, ~~and-the-agricultural-products-and-industries-of-the~~ state AND TO CONDUCT A PROGRAM OF INFORMATION AND PUBLICITY DESIGNED TO ATTRACT TOURISTS, VISITORS, AND OTHER INTERESTED PERSONS FROM OUTSIDE THE STATE TO THIS STATE, by means of newspaper, magazine, direct mail, motion picture, radio, printed, and billboard advertising publicity and by such other means as the committee may deem advisable. In order to most effectively advertise and publicize the state, the general assembly recommends that, as near as possible, state expenditures for such advertising and publicity be matched by donations from local advertising groups and associations throughout the state. The committee shall cooperate with such local groups and associations making such donations in a general state-wide advertising plan.

SECTION 10. Repeal. 106-1-5 (2) (a), (c), and (e), 106-1-6, 106-1-7 (1), (2), (3), (4), and (7), 106-1-8, and 106-1-14, Colorado Revised Statutes 1953 (1960 Perm. Supp.), are hereby repealed.

SECTION 11. Effective date. This act shall take effect on July 1, 1963.

SECTION 12. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

APPENDIX L

SENATE JOINT RESOLUTION NO.

WHEREAS, Under the provisions of joint resolutions introduced at both regular sessions of the Forty-third General Assembly, the Legislative Council Committee on the Administrative Organization of State Government has been studying the administrative set-up, procedures, and practices of the state government of Colorado; and

WHEREAS, As a result of such study several recommendations of the committee have been enacted into law, resulting in the elimination of unnecessary and inoperative state agencies, the consolidation and correlation of administrative functions, powers, and duties, and the repeal of obsolete and ambiguous statutes; and

WHEREAS, Such study should be continued, since much remains to be done to promote efficiency and economy in the administrative organization of state government; now, therefore,

Be It Resolved by the Senate of the Forty-fourth General Assembly of the State of Colorado, the House of Representatives concurring herein:

1. That the Legislative Council appoint a committee to continue the study of its former committee on the administrative organization of the state government, charged with the duty of considering all administrative phases of the executive department of the state government.

2. That all expenditures incurred in the conduct of the study directed by this resolution shall be approved by the chairman of the

APPENDIX M

Report of

Subcommittee on Veterans' Affairs

The Committee on Administrative Organization of State Government has recommended the abolition of the Colorado Department of Veterans' Affairs with the retention of the county service officer program. The Committee also appointed a subcommittee to devise a method for maintaining the county service officer program.

It is the opinion of the undersigned that the only feasible method, within the framework of our constitutional civil service, to keep the local service officer program is to keep the Colorado Department of Veterans' Affairs but with redefined duties and with a substantially reduced staff.

The undersigned recommend retention of the Department of Veterans' Affairs with only two positions: a coordinator to work with and train county service officers; and a clerk-typist. The subcommittee believes this proposal for a reduced state staff with continued state support of the county service officers will enable the state to save approximately \$45,000 annually.

Senator A. Woody Hewett, Chairman

Senator Richard F. Hobbs